

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JEFF ANLIKER, an Individual; and BALANCE
SYSTEMS, INC., an Oregon corporation

SUMMONS IN A CIVIL CASE

Plaintiffs,

CASE NUMBER:

v.

INSTITUTE OF HEALTH AND HUMAN
PERFORMANCE, LLC, an Illinois Limited Liability
Company., and SPRI PRODUCTIONS, INC., AN Illinois
corporation

Defendants.

TO: James J. Riebandt (Registered Agent)
SPRI Products, Inc.
1237 S Arlington Hts Road
Arlington Heights, IL 60006

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon
PLAINTIFF'S ATTORNEYS:

David W. Axelrod – OSB #75023
Patchen M. Haggerty, OSB #01054
Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 S.W. Fifth Avenue
Portland, OR 97204-3795
(503) 222-9981

a response to the petition which is herewith served upon you, within twenty (20) days after service of this summons upon you,
exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the
petition.

CLERK

DATE

(By) DEPUTY CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JEFF ANLIKER, an Individual; and BALANCE
SYSTEMS, INC., an Oregon corporation

SUMMONS IN A CIVIL CASE

Plaintiffs,

CASE NUMBER:

v.

INSTITUTE OF HEALTH AND HUMAN
PERFORMANCE, LLC, an Illinois Limited Liability
Company., and SPRI PRODUCTIONS, INC., AN Illinois
corporation

Defendants.

TO: Jon F. Kabance (Registered Agent)
Institute of Health and Human Performance, L.L.C.
4209 N. Keystone 2W
Chicago, IL 60641

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon
PLAINTIFF'S ATTORNEYS:

David W. Axelrod – OSB #75023
Patchen M. Haggerty, OSB #01054
Schwabe, Williamson & Wyatt, P.C.
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petition.

CLERK

DATE

(By) DEPUTY CLERK

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

JEFF ANLIKER, an Individual; and BALANCE SYSTEMS, INC., an Oregon corporation

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF: Oregon
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

INSTITUTE OF HEALTH AND HUMAN PERFORMANCE, LLC., an Illinois Limited Liability Company; and SPRI PRODUCTS, INC., an Illinois corporation

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT: Illinois
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

David W. Axelrod, OSB 75023
Patchen M. Haggerty, OSB 01054
SCHWABE, WILLIAMSON & WYATT
1211 SW Fifth Ave., Suites 1600-1900
Portland, OR 97204-3795 Phone - 503-222-9981

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recover of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability PERSONAL PROPERTY <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability LABOR <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820-Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 862 HIA (1395(f)) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI 405(g)) FEDERAL TAX <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commercial/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE.
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Patent Infringement, 35 USC Sections 271 and 281.

VII REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND YES

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions):
IF ANY

DATE

October 17, 2006

SIGNATURE OF ATTORNEY OF RECORD

Patchen M. Haggerty, OSB 01054

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

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Of Attorneys for Plaintiff, Balance Systems Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

**JEFF ANLIKER, an Individual; and
BALANCE SYSTEMS, INC., an Oregon
corporation**

Plaintiff,

v.

**INSTITUTE OF HEALTH AND
HUMAN PERFORMANCE, LLC, an
Illinois Limited Liability Company; and
SPRI PRODUCTS, INC., an Illinois
Corporation.**

Defendants.

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

For its complaint, plaintiffs Jeff Anliker and Balance Systems, Inc. ("Plaintiffs") allege as follows:

NATURE OF THE CASE

1. Plaintiffs bring this action seeking an injunction and damages as a result of Defendants' infringement of United States Patent No. 5,613,923 (" '923 Patent") entitled

“Repetitive Strain Injury Therapy Device”, for which Jeff Anliker is the owner and Balance Systems, Inc. is the exclusive licensee. *See* Exhibit A.

THE PARTIES

2. Jeff Anliker is president and majority owner of Balance Systems, Inc., having a principal place of business at 325 W. Broadway Ave., Milton-Freewater, Oregon.

3. Balance Systems, Inc. is an Oregon corporation having a principal place of business at 325 W. Broadway Ave., Milton-Freewater, Oregon. From its Oregon facilities, Balance Systems designs, manufactures and sells worldwide, among other things, an exercise device for strengthening finger, hand, wrist and forearm muscles to aid in reducing repetitive strain injury under the commercial name Flexextend®.

4. On information and belief, defendant Institute of Health and Human Performance, LLC (“IHHP”) is a limited liability company formed under the laws of the state of Illinois having a business address in Illinois at 1300 W. Belmont Ave., Suite 407, Chicago, Illinois, and is in the business of importing, marketing, distributing and/or selling, among other things, an exercise device for strengthening finger, hand, wrist and forearm muscles to aid in reducing repetitive strain injury under the commercial name The Reset Glove. *See* Exhibit B.

5. On information and belief, defendant SPRI Products, Inc. is an Illinois corporation having a business address of 1600 Northwind Blvd., Libertyville, Illinois, and is in the business of importing, marketing, distributing and/or selling, among other things, an exercise device for strengthening finger, hand, wrist and forearm muscles to aid in reducing repetitive strain injury under the commercial name The Reset Glove. *See* Exhibit C.

JURISDICTION AND VENUE

6. Plaintiffs’ claim of patent infringement by Defendants arises under the patent laws of

the United States, 35 U.S.C. §§ 271 and 281. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 (b) - (c) and 1400 (b). On information and belief, Defendants sell an exercise device for strengthening finger, hand, wrist and forearm muscles to aid in reducing repetitive strain injury under the commercial name The Reset Glove (the "Accused Product") for distribution and sale in Oregon that infringes one or more claims of the '923 Patent and have committed acts of infringement within this judicial district. *See* Exhibit D.

FIRST CLAIM FOR RELIEF OF PATENT INFRINGEMENT

8. On March 25, 1997, the United States Patent and Trademark Office issued United States Patent No. 5,136,923 entitled "Repetitive Strain Injury Therapy Device" to the inventor Jeff Anliker. A certified copy of the '923 Patent is attached as Exhibit A.

9. Balance Systems is the exclusive licensee of the entire right, title, and interest in the '923 Patent.

10. Balance Systems has marked its products that are covered by the '923 Patent with the appropriate statutory notice required pursuant to 35 U.S.C. § 287(a).

11. Upon information and belief, Defendants have in the past, and continue to manufacture, import, use, sell and/or offer to sell Accused Products within this judicial district that infringe one or more claims of the '923 Patent. Upon further information and belief, Defendants have induced infringement of the '923 patent under 35 U.S.C. §271 (b) and/or contributed to other's infringement of the '923 Patent under 35 U.S.C. §271 (c), within this judicial district.

12. Plaintiffs have been damaged by Defendants' infringement of the '923 Patent

through lost sales, lost profits and/or lost royalties.

13. Plaintiffs have suffered irreparable harm from Defendants' infringement. Because the infringement is continuing, Plaintiffs will suffer additional irreparable harm unless Defendants are enjoined from continuing to infringe the '923 Patent.

14. This case is an exceptional case as Defendants have willfully infringed the '923 Patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

A. A judgment declaring that Defendants have and continue to infringe the '923 Patent;

B. A permanent injunction prohibiting Defendants, its officers, agents, servants, employees and all other persons in active concert or participation with them, from infringing the '923 Patent pursuant to 35 U.S.C. § 283;

C. An award of damages sufficient to compensate Plaintiffs for Defendants' infringement of the '923 Patent pursuant to 35 U.S.C. § 284 and for an accounting to determine such damages;

D. An award of enhanced damages pursuant to 35 U.S.C. § 284;

E. An award of costs, including attorney fees pursuant to 35 U.S.C. § 285; and

F. Such other relief as this court deems just and equitable.

DEMAND FOR JURY TRIAL

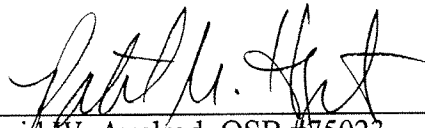
Pursuant to Fed. R. Civ. P. 38(b) and LR 38.1, Plaintiffs request a trial by jury of all issues so triable.

Dated this 17th day of October, 2006.

Respectfully submitted,

Schwabe, Williamson & Wyatt, P.C.

By:



David W. Axelrod, OSB #75023
Patchen M. Haggerty, OSB #01054
Of Attorneys for Plaintiff, Balance Systems,
Inc.

U 1523041



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 29, 2006

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM
THE RECORDS OF THIS OFFICE OF:

U.S. PATENT: 5,613,923

ISSUE DATE: *March 25, 1997*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

W. Montgomery
W. MONTGOMERY
Certifying Officer



EXHIBIT A
Page 1

United States Patent [19]

[11] **Patent Number:** **5,613,923**

Anliker

[45] **Date of Patent:** **Mar. 25, 1997**

[54] **REPETITIVE STRAIN INJURY THERAPY DEVICE**

[76] **Inventor:** **Jeff Anliker**, 19740 SW. Southview,
Aloha, Oreg. 97007

[21] **Appl. No.:** **426,285**

[22] **Filed:** **Apr. 21, 1995**

[51] **Int. Cl.⁶** **A63B 21/02**

[52] **U.S. Cl.** **482/48; 482/44**

[58] **Field of Search** **84/465, 467, 468;**
482/44, 47-49; 601/40

[56] **References Cited**

U.S. PATENT DOCUMENTS

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Primary Examiner—Richard J. Apley

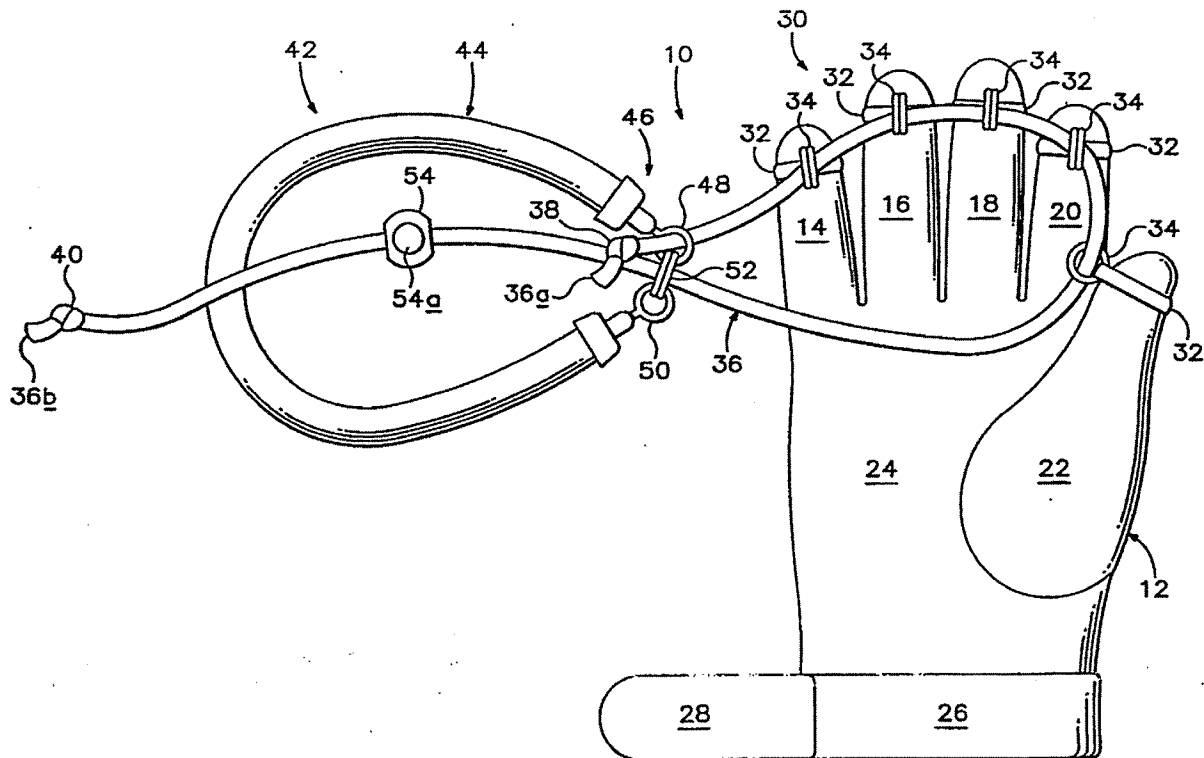
Assistant Examiner—David R. Risley

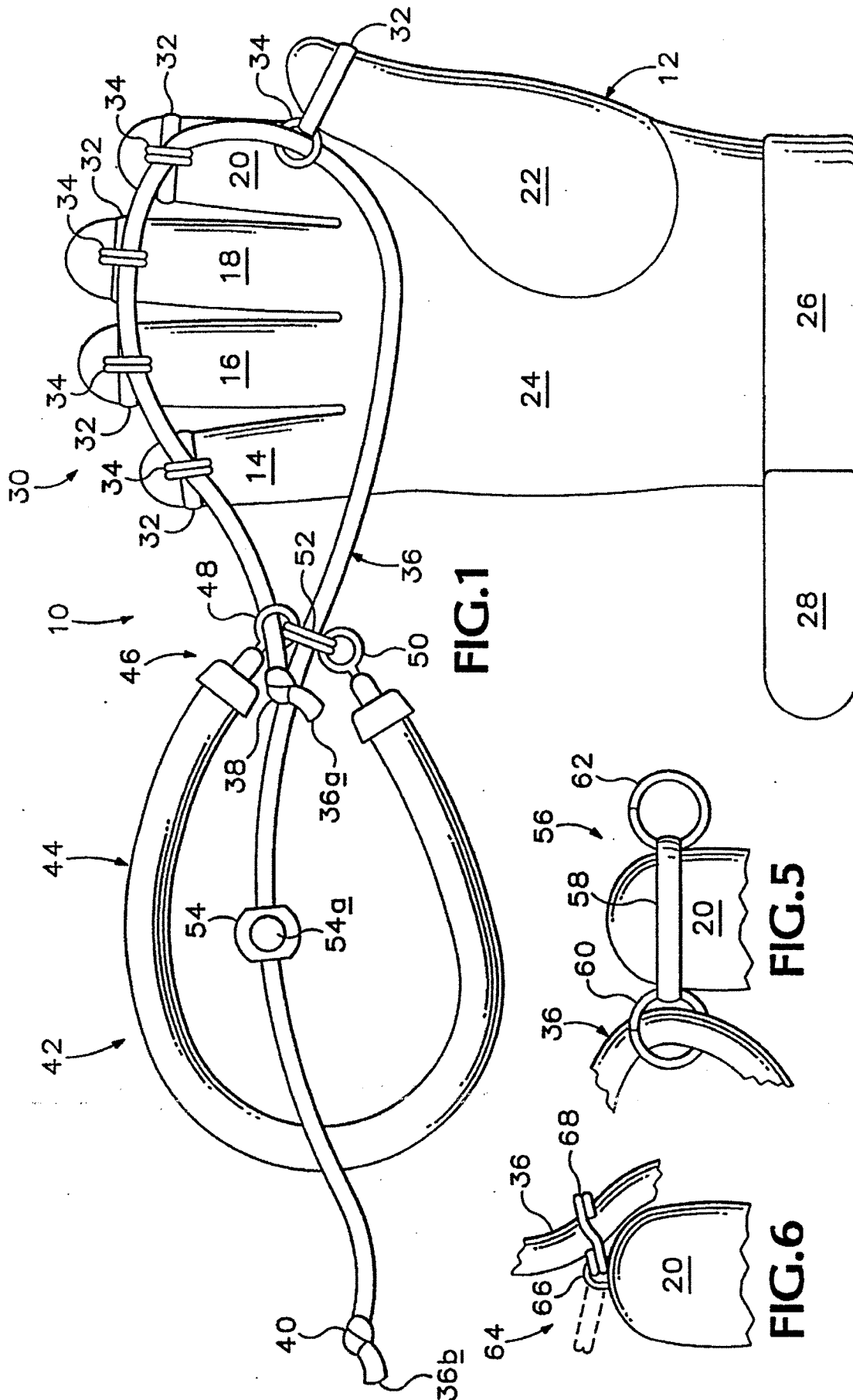
Attorney, Agent, or Firm—Robert D. Varitz

[57] **ABSTRACT**

An exercise device includes an attachment mechanism which is located adjacent the fingertips and thumb tip on the user's hand. A first resilient member is attached to the attachment mechanism. An anchor mechanism is located at a fixed point relative to the user's wrist, and is attached to the first resilient member. As the user's wrist is extended, and the user's fingers and thumb are abducted, the user encounters resistance, thereby providing resistive exercise to the extensor muscles of the user's forearm.

12 Claims, 3 Drawing Sheets





U.S. Patent

Mar. 25, 1997

Sheet 2 of 3

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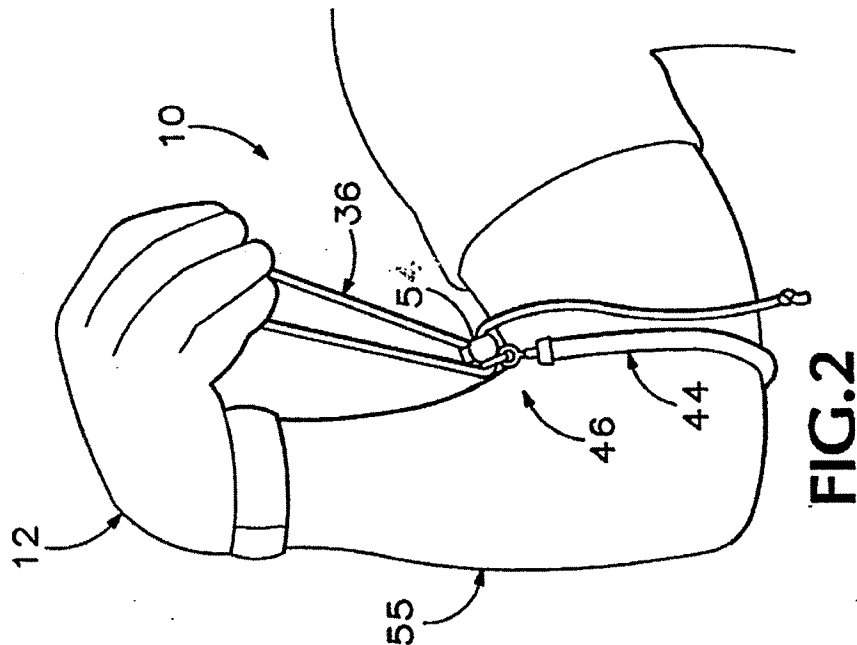
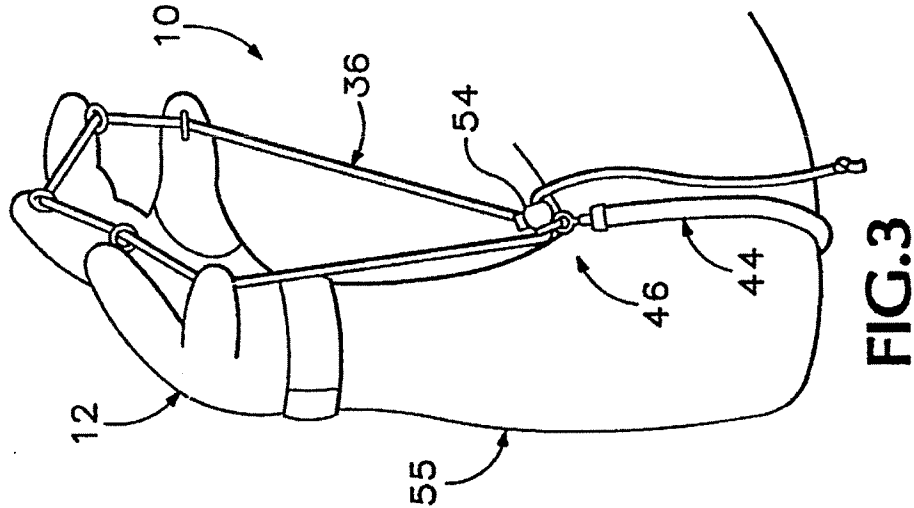
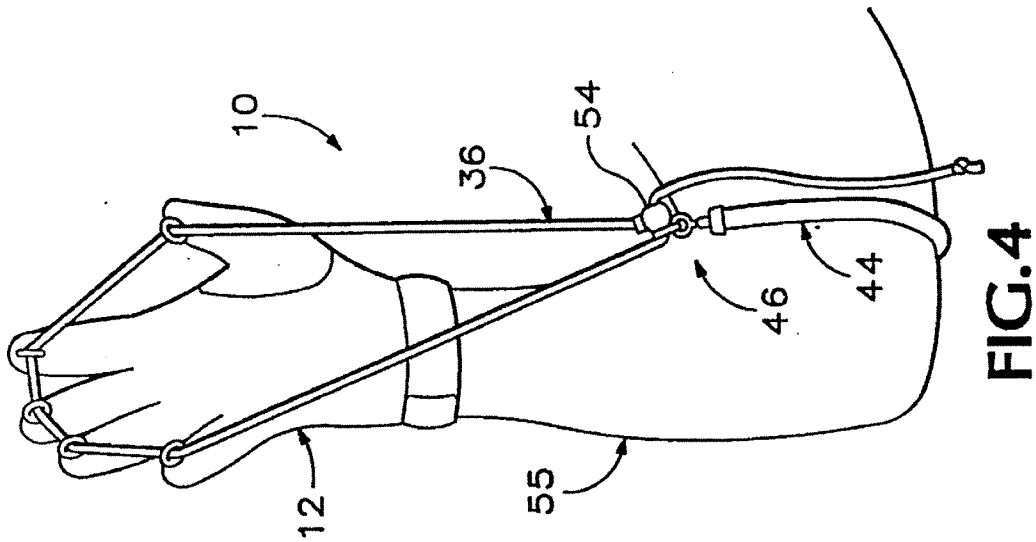


EXHIBIT A

U.S. Patent

Mar. 25, 1997

Sheet 3 of 3

5,613,923

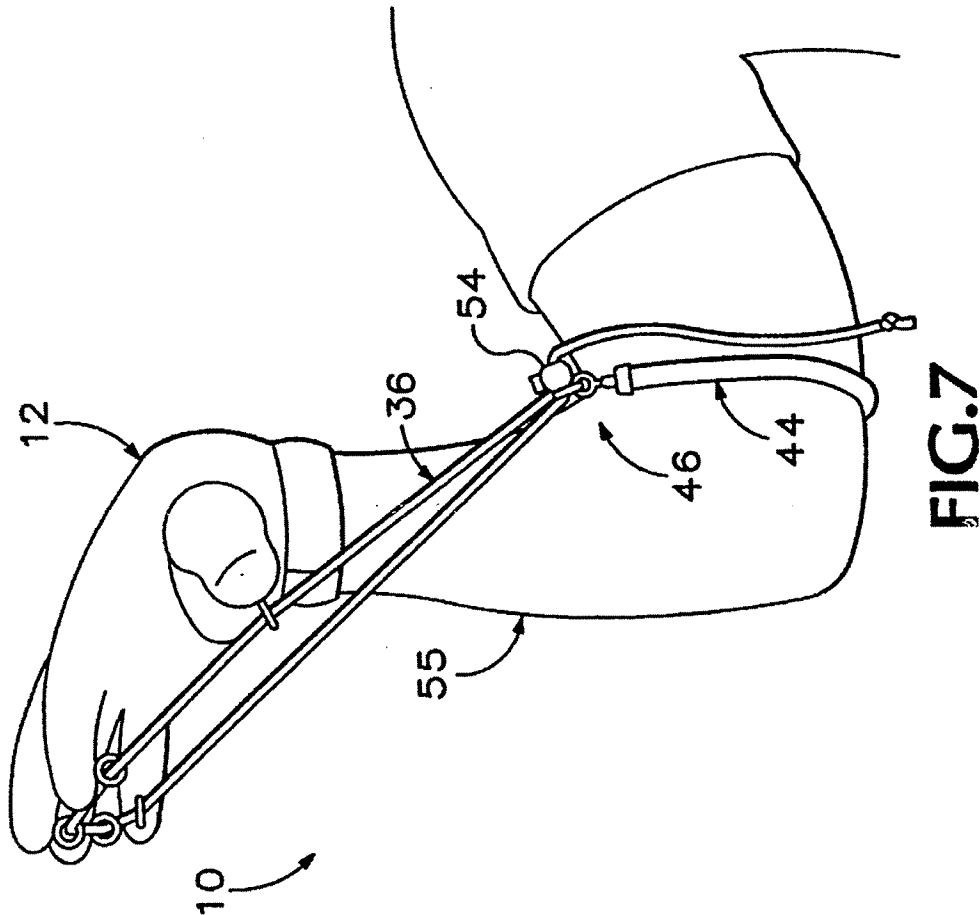
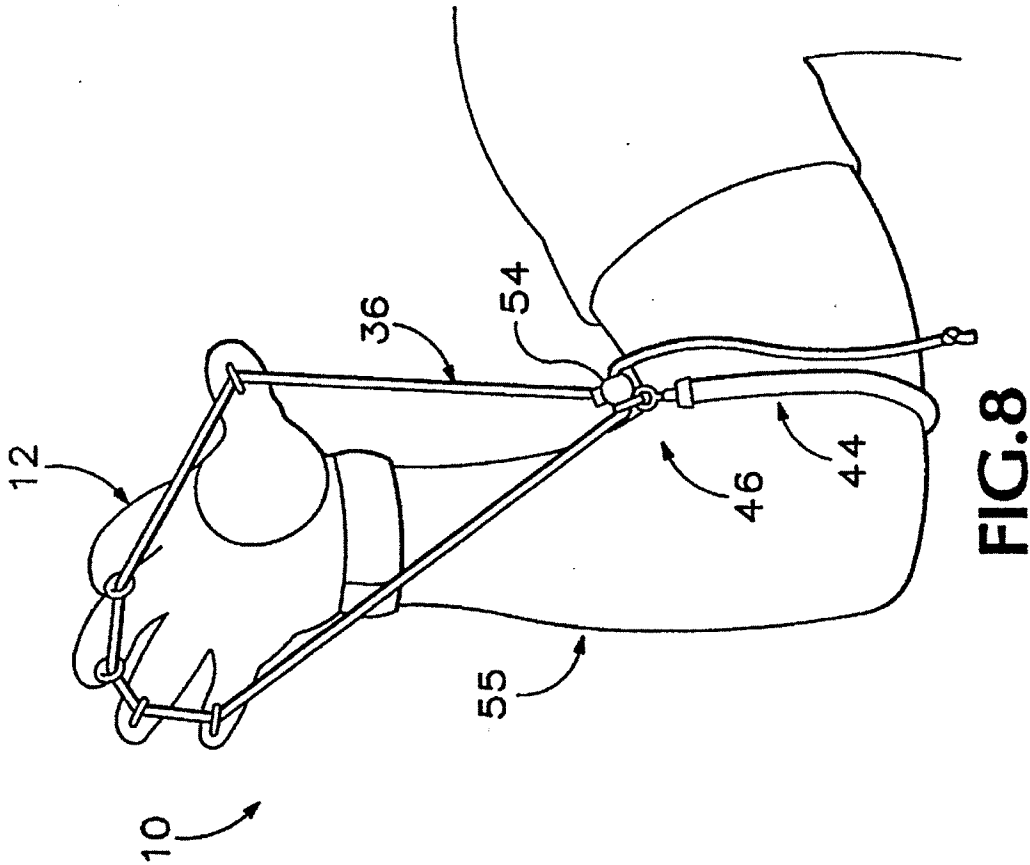


EXHIBIT A

5,613,923

1

REPETITIVE STRAIN INJURY THERAPY DEVICE

BACKGROUND OF THE INVENTION

The invention relates to exercise devices, and specifically to an exercise device which is useful to strengthen the extensor muscles of the lower arm, as an aid in reducing repetitive strain injury, and particularly in reducing the carpal-tunnel syndrome form of repetitive stress injury.

A moderately active individual makes thousands of different hand movements in a single day. Such activity may lead to repetitive strain injuries, such as carpal-tunnel syndrome, in which the tendons and ligaments in the carpal tunnel swell and compress nerves, resulting in hand numbness. A similar disease is known as De Quervan's disease, which cause localized numbness in the thumb, thereby preventing thumb movement. Swelling of the tendons in the carpal tunnel may also reduce circulation to the hands, further causing numbness and pain.

Carpal-tunnel syndrome, also referred to as CTS, may be caused or aggravated by a variety of disorders, such as arthritis or pregnancy, or by drugs which cause the body to retain fluids. Additionally, individuals who spend extended periods of time with their wrist in a flexed condition may develop CTS. One cause of CTS is the continuous flexing of the wrist which is particularly common amongst individuals who spend long periods of time at keyboards, whether such keyboards be associated with computers per se, or with cash registers or other such devices. Such flexing is generally accompanied by pronation of the hand, i.e., holding the palm in a downward facing position, which further strains the connective tissue and nerves running through the carpal tunnel. Musicians are also subject to CTS, as are individuals who do a great deal of lifting. It is common in such individuals that the flexor muscles of the forearm are much stronger than the extensor muscles of the forearm, which tend to leave the wrist in a flexed condition, even when it is not necessary for the wrist to be flexed. CTS itself is caused by compression of the median nerve, which runs through the wrist and branches into the palm, thumb and first three fingers. The median nerve runs through a bony structure which is identified as the carpal tunnel. The flexor tendons and the carpal ligament in the carpal tunnel may swell due to repetitive hand movements, pinching the medial nerve and producing the condition known as CTS. CTS generally results in an inability effectively to grip with the hands, and is usually accompanied by a tingling and numbness in the fingers.

In some instances, a mild case of CTS may be mitigated by resting the wrist, or by varying its movement throughout the day. Anti-inflammatory drugs or cortisone may be given to reduce swelling. In some instances, surgery is performed to lessen CTS, however, it is very possible that the surgery may produce further swelling in the carpal tunnel, and ultimately, may aggravate the condition rather than curing it.

Repetitive Strain Injury (RSI) may occur in any part of the body. When it occurs in the hands, it can produce severe pain in the wrist and forearm, and result in reduced gripping ability in the hand.

Known exercises, such as wrist extensions, still require the flexion of the fingers to grip a weight, and do not provide resistance to the abductor or extensor muscles of the fingers. Other devices, such as the Tiger Paw™, provide limited resistance for the abductor muscles, but do nothing to

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strengthen the extensor muscles that extend the hand at the wrist.

The exercise device of the invention is intended to strengthen the extensor muscles of the fingers, hand and wrist located in the forearm and the abductor muscles of the fingers, thereby providing a balance between the extensor and flexor muscles to prevent the continuous flexing of the wrist, thereby eliminating one of the causes of CTS.

Summary of the Invention

The exercise device of the invention includes an attachment mechanism which is located adjacent the fingertips and thumb tip on the user's hand. A first resilient member has a spaced-apart, opposed ends and is attached to the attachment mechanism. An anchor mechanism is located at a fixed point relative to the user's wrist, and is attached to the first resilient member. As the user's wrist is extended, and the user's fingers and thumb are abducted, the user encounters resistance, thereby providing resistive exercise to the extensor muscles of the user's forearm.

An object of the invention is to provide an exercise device which will exercise the extensor muscles of the user's forearm.

Another object of the invention is to provide an exercise device which will exercise the abductor muscles of a user's fingers.

Still another object of the invention is to provide such an exercise device which is quite portable.

A further object of the invention is to provide an exercise device which is easy to use, inexpensive to manufacture and durable.

These and other objects and advantages of the invention will become more fully apparent as the description which follow is read in conjunction with the drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is plan view the preferred embodiment of the invention.

FIGS. 2-4 represent environmental views of the exercise device of the invention, in progressive stages of exercises performed therewith.

FIG. 5 depicts a first alternate embodiment of an attachment mechanism of the invention.

FIG. 6 depicts a second alternate embodiment of the attachment mechanism of the invention.

FIGS. 7 and 8 are progressive environmental views of a additional exercise techniques using the invention.

BEST MODE OF PRACTICING THE INVENTION

Turning initially to FIG. 1, the exercise device of the invention is depicted generally at 10. In the preferred embodiment, device 10 includes a glove 12 which is worn on a user's hand. Glove 12 includes the usual finger elements 14, 16, 18, and 20, a thumb element 22, a glove body 24, and a wrist strap 26, which includes a hook-and-loop closure strap 28. Glove 10 may be a modified exercise glove having full finger elements.

An attachment mechanism, depicted generally at 30 is located adjacent the fingertips of a user's hand and, in the preferred embodiment, includes a band 32 and a ring, or loop, 34. In the depicted embodiment, the band is attached to the fingers of the gloves, although any form of attachment

5,613,923

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mechanism which may be located adjacent the fingertips and thumb tip of a user may be provided. The finger elements may be reinforced adjacent their tips, so as to provide additional support for loop 34, which may allow construction of the invention without the need for band 32. As depicted in FIG. 1, loops 34 face the anterior, or palm side, of the user's hand.

A first resilient member 36 is provided and is trained through rings 34 of attachment mechanism 30. First resilient member 36 has spaced-apart, opposed ends, such as ends 36a and 36b. In the preferred embodiment, resilient member 36 is formed of a length of surgical tubing, and the ends are provided with keeper knots 38, 40. Resilient member 36 has a first modulus of elasticity, which will be further described later herein.

An anchor mechanism 42 is attached to first resilient member 36. In the preferred embodiment, anchor mechanism 42 includes a second resilient member 44, having a second modulus of elasticity, which is used to provide an anchor point for the exercise device, and a retainer mechanism 46. Retainer mechanism 46 includes a first retaining ring 48, a second retaining ring 50 and a third retaining ring 52. Third retaining ring 52 joins first and second retaining rings 48 and 50. One end 36a of first resilient member 36 is captured by first retaining ring 48 while an intermediate portion of first resilient member 36 is passed through third retaining ring 52. An adjustment mechanism 54 is provided along the length of first resilient member 36 and is operable to adjust the length of first resilient member 36 relative to retaining mechanism 46. Adjustment mechanism 54, in the preferred embodiment, takes the form of a bead having a pair of bores extending normal to one another therethrough. A spring-biased clamp 54a is located in one of the bores and first resilient member 36 extends through the other bore.

Referring now to FIGS. 2-4, device 10 is depicted in place on a user's arm 55, and it is shown during progressive stages of the exercise. As shown in FIG. 2, glove 12 is worn on a user's hand while second resilient member 44 is attached about the user's upper arm, between the elbow and shoulder. First resilient member 36 is adjusted by means of adjustment mechanism 54, which releasably captures a portion of resilient member 36, to provide a desired amount of resistance.

As shown in FIG. 3, the user begins the exercise by extending the user's hand while simultaneously abducting (spreading) the fingers and thumb. As depicted in FIG. 4, the wrist is completely straightened and the fingers are fully spread, thereby completing the positive portion of the exercise. The user allows the wrist to flex and the fingers and thumb to adduct to perform the negative portion of the exercise.

As the user extends the user's wrist and abducts the user's fingers, the *abductor pollicis longus* abducts and extends the thumb, along with the *extensor pollicis longus* and the *extensor pollicis brevis*. The *extensor digitorum* works to extend all of the joints of the fingers, as well as extending the wrist, while the *extensor indicis* and *extensor digiti minimi* extend the index and little fingers, respectively. The *extensor carpi radialis brevis*, the *extensor carpi radialis longus* and the *extensor carpi ulnaris* all work together to extend the wrist.

As shown in FIGS. 2-4, first resilient member 36 provides resistance to both the extension of the hand at the wrist and to the abduction of the fingers and thumb. While a certain amount of movement of rings 34 along first resilient member 36 is allowed by the device, the combination of extending

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the wrist and abducting the fingers and thumb works all of the extensor muscles of the user's forearm. By strengthening the extensor muscles, those individuals who are subject to carpal tunnel syndrome may achieve a balance in the strength between the extensor and flexor muscles of the arm, thereby alleviating the symptoms of the syndrome, which is believed to be caused by an imbalance in muscle strength wherein the flexor muscles are much stronger than the extensor muscles, and which results in the constant flexing of the wrist and adduction of the fingers. The exercise is performed with the hand supinated, to also provide resistance to the rotator muscles of the arms. With the hand held in the position shown in FIGS. 2-4, the *supinator brevis* and the *supinator longus* are both exercised.

As previously noted, first resilient member 36 has a first modulus of elasticity, while second resilient member 44 has a second modulus of elasticity. In the preferred embodiment, the first modulus of elasticity is greater than that of the second modulus of elasticity, thereby allowing greater relative stretching of first resilient member 36 than of second resilient member 44. Second resilient member 44, in the preferred embodiment, has sufficient stretch to allow the user comfortably to position the member on the user's arm, but does not allow significant stretching of the second resilient member during the exercise so that most of the resistance to the exercise is provided by first resilient member 36. Alternate embodiments of the invention may include a non-resilient strap in place of second resilient member 44, however, for ease of construction, anchor mechanism 42 includes an elastic second resilient member. It is also conceivable that the first resilient member could be anchored to a fixed point, such as a tabletop, wherein the exercise device would not be attached to the user's upper arm.

As described so far, glove 12 is shown on a user's right hand. In the preferred embodiment of the invention, a similar glove is provided for the left hand so that both arms simultaneously may be exercised. Alternately, the attachment mechanism of the invention may be modified as depicted generally at 56 in FIG. 5. Attachment mechanism 56 is depicted on a finger element 20, and includes a band 58, having rings or loops 60, 62 on either side thereof. In this embodiment, a device similar to adjustment mechanism 54 is provided in place of keeper knot 38, which will allow one end of first resilient member 36 to be removed from first retaining ring 48 and rings 60 of attachment mechanism 56, and reinstalled through rings 62, thereby allowing use of the exercise device on the other hand.

Another embodiment of the attachment mechanism is depicted generally at 64 in FIG. 6. In this embodiment, the attachment mechanism includes a retaining loop, or attachment point, 66, which is attached to the tip of the finger and thumb elements of the glove, such as finger element 20, and includes a ring or loop 68 which receives first resilient member 36 therethrough. In this embodiment, the user simply removes the glove from one hand and places it on the other, and shifts the position of first resilient member 36 for the proper hand. Other embodiments of the attachment device may be provided.

It will be apparent to those of skill in the art that the embodiments depicted in FIGS. 5 and 6 are used with the loops of the attachment mechanism facing, or directed towards, the anterior, or palm, side of the user's hand.

Referring now to FIGS. 7 and 8, further variations in the manner of exercising with exercise device 10 are depicted. In FIG. 7, the user's hand is aligned parallel with the user's

EXHIBIT A

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upper arm. Exercising with the device as previously described in this position provides a certain amount of exercise for the bicep muscle of the upper arm and for the rotator muscles of the forearm.

In the form of exercise depicted in FIG. 8, the hand is held at 90 degrees to the upper arm, thereby providing exercise for the rotator muscles of the lower arm.

Although a preferred embodiment of the invention has been described, along with several variations thereto, it should be appreciated that further modifications and variations may be made to the device of the invention without departing from the scope of the invention as defined in the appended claims.

I claim:

1. An exercise device for strengthening finger, hand, wrist and forearm muscles comprising:

an attachment mechanism located adjacent the finger tips and thumb tip of the anterior surface of a user's hand, wherein said attachment mechanism includes a plurality of bands constructed and arranged to encircle each of the user's fingers and thumb, and which further includes a plurality of loops, wherein each of said loops is affixed to one of said bands;

a first resilient member which is elastic and which is attached to said attachment mechanism, and which biases the user's fingers and thumb to a flexed, adducted condition, and wherein said first resilient member is trained through each of said loops on said attachment mechanism;

an anchor mechanism located at a fixed point relative to the user's wrist and attached to said first resilient member, and which biases the user's wrist to a flexed condition;

wherein, as the user's fingers and thumb are wrist are extended and the user's fingers and abducted, the user encounters resistance thereby exercising the extensor muscles of the user's fingers, hand, and wrist and the abductor muscles of the user's fingers and thumb.

2. The device of claim 1 wherein said anchor mechanism includes a second resilient member which is trained about the user's upper arm.

3. The device of claim 2 wherein said first resilient member has a first modulus of elasticity and said second resilient member has a second modulus of elasticity, and wherein said first modulus of elasticity is greater than said second modulus of elasticity.

4. The device of claim 1 wherein said attachment mechanism includes plural loops on each band, wherein said first resilient member is trained through each of said loops on the anterior surface of a user's hand when the exercise device is in use.

5. The device of claim 1 wherein said first resilient member includes an adjustment mechanism for adjusting the resistance produced thereby, said adjustment mechanism being operable to change the length of said first resilient member.

6. The device of claim 1 wherein said first resilient member includes a first portion trained through said attachment mechanism and another portion thereof extending along the length of the user's forearm towards the user's elbow, and wherein said anchor mechanism includes a second resilient member which is attached to said other portion.

7. The device of claim 1 wherein said attachment mechanism is carried on a glove.

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8. An exercise device for strengthening finger, hand, wrist and forearm muscles comprising:

a glove worn on a user's hand;

an attachment mechanism located on the palm side of said glove adjacent the finger tips and thumb tip of said glove, including a plurality of bands constructed and arranged to encircle each of the user's fingers and thumb, and further including a plurality of loops wherein each of said loops is affixed to one of said band;

a first resilient member which is elastic and which is attached to said attachment mechanism, wherein said first resilient member is trained through each of said loops on said attachment mechanism;

a second resilient member which is elastic and which is attached to said first resilient member and which is trained about the user's arm adjacent the user's elbow;

wherein, as the user's fingers and wrist are extended and the user's fingers and thumb are abducted, the user encounters resistance thereby exercising the extensor muscles of the user's fingers, hand, wrist and elbow and the abductor muscles of the user's fingers and thumb.

9. The device of claim 8 wherein said first resilient member has a first modulus of elasticity and said second resilient member has a second modulus of elasticity, and wherein said first modulus of elasticity is greater than said second modulus of elasticity.

10. The device of claim 8 wherein said attachment mechanism includes plural loops on each band, wherein said first resilient member is trained through each of said loops on the palm side of a user's hand when the exercise device is in use.

11. The device of claim 8 wherein said first resilient member includes an adjustment mechanism for adjusting the resistance produced thereby, said adjustment mechanism being operable to change the length of said first resilient member.

12. An exercise device for strengthening finger, hand, wrist and forearm muscles comprising:

a glove worn on a user's hand;

a plurality of bands on said glove constructed and arranged to encircle each of the user's fingers and thumb;

attachment loops located on the palm side of said glove adjacent the finger tips and thumb tip of said glove, wherein each of said attachment loops is affixed to one of said bands;

a first resilient member, having a first modulus of elasticity, which is trained through each of said attachment loops and which includes an adjustment mechanism for adjusting the resistance produced thereby;

a second resilient member, having a second modulus of elasticity, which is attached to said first resilient member and which is trained about the user's upper arm adjacent the user's elbow, wherein said first modulus of elasticity is greater than said second modulus of elasticity;

wherein, as the user's fingers and wrist is extended and the user's fingers and thumb are abducted, the user encounters resistance thereby exercising the extensor muscles of the user's fingers, hand, wrist and elbow and the abductor muscles of the user's fingers and thumb.

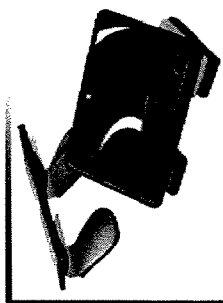
* * * * *

EXHIBIT A

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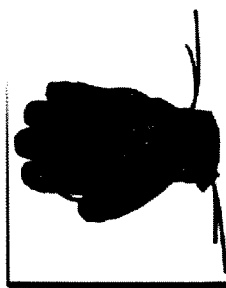
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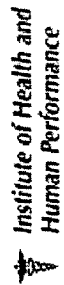
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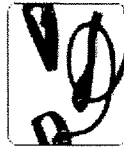


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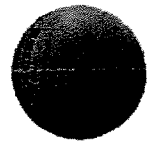
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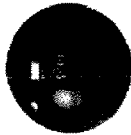
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